

P20938.201

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P20938

Total Pages

Inventor(s) or Applicant(s) Identifier
Kiyoshi NAKAYAMA, Masami OHTSUKA, Haruko
KAWATO, William WATKINS, Jason ZHANG, Monica
PALME, and Aesop CHO

Title: DRUG EFFLUX PULP INHIBITOR

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

APPLICATION ELEMENTS

ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- a. ☐ Small Entity
Statement(s)
3. ☒ Specification (in Japanese) [Total Pages 216]
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☐ Drawing(s) (35 USC 113) [Total Sheets]
- ☒ Oath or Declaration [Total Pages 5]
- a. ☐ Newly executed (original or copy) ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 20 completed)
[Note Box 6 below]
- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
- ☐ Incorporation By Reference (useable if Box 5b is checked)
The entire disclosure of the prior application, from which a
copy of the oath or declaration is supplied under Box 5b, is
considered as being part of the disclosure of the accompanying
application and is hereby incorporated by reference therein.
- ☐ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-Rom or CD-R in duplicate, large table or Computer
Program (Appendix)

9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies
10. ☐ Assignment Papers (cover sheet & document(s))
11. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
12. ☐ English Translation Document (if applicable)
13. ☐ Information Disclosure ☐ Copies of IDS Citations
Statement (IDS)/PTO-1449
14. ☐ Preliminary Amendment
15. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
16. ☐ Figure of Drawing to be published
17. ☐ Foreign priority claimed
- a. ☐ Claim of Priority
- b. ☐ Certified Copy of Priority Document(s)
18. ☒ Assignee: DAIICHI PHARMACEUTICAL CO., LTD. of
Tokyo, JAPAN, and MICROCID
PHARMACEUTICALS, INC. of Mountain View, California
19. ☒ Other: Cover Letter under 37 CFR 1.53(b) and (f) and
MPEP 608.01

20. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

- ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior Application No. / , filed .
- Prior application information: Examiner: Group Art Unit:

21. ☐ Amend the specification by inserting before the first line the sentence:
This application is a continuation-in-part, continuation, divisional, of Application No. / , filed .Address all future correspondence to **Customer No. 7055** at the present address of:GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Date

Bruce H. Bernstein, Reg No. 29,027
Typed or Printed Name

FEE TRANSMITTAL

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | Not Yet Assigned |
| Filing Date | Concurrently Herewith |
| First Named Inventor | K. NAKAYAMA et al. |
| Group Art Unit | Unassigned |
| Examiner Name | Unassigned |

TOTAL AMOUNT OF PAYMENT (\$)710.00

Attorney Docket Number P20938

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0089Deposit Account Name GREENBLUM & BERNSTEIN, P.L.C.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future

reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3))

- ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)

- ☐ Applicant Claims Small Entity Status See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION (fees effective 12/29/99)

1. FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|------------|
| 101 | 710 | 201 | 355 | Utility filing fee | <u>710</u> |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 710

2. CLAIMS

| Total Claims | Extra | Fee from below | Fee Paid |
|---------------------------|-------|----------------|----------|
| Independent -20= | x | 18 | |
| Claims -3= | x | 80 | |
| Multiple Dependent Claims | x | | <u>0</u> |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim |
| 109 | 80 | 209 | 40 | Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR | |
| 113 | 1,840* | 113 | 1,840* | Prior to Examiner action | |
| | | | | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for response within 1st month | |
| 116 | 390 | 216 | 195 | Extension for response within 2nd month | |
| 117 | 890 | 217 | 445 | Extension for response within 3rd month | |
| 118 | 1,390 | 218 | 695 | Extension for response within 4th month | |
| 128 | 1,890 | 228 | 945 | Extension for response within 5th month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive unavoidably abandoned application | |
| 141 | 1,240 | 241 | 620 | Petition to revive unintentionally abandoned application | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of IDS | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) (\$) 0.00

*Reduced by Basic Filing Fee paid

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name Bruce H. Bernstein

Reg. Number

29,027

Signature

Leslie M. Pappas Reg. No.

Date

4/26/01

Deposit Account User ID

P20938.P03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :K. NAKAYAMA et al.

Serial No :Not Yet Assigned

Filed :Concurrently herewith

For :DRUG EFFLUX PUMP INHIBITOR

**COVER LETTER ACCOMPANYING U.S. PATENT APPLICATION
FILED UNDER 37 C.F.R. 1.53(b)AND 1.53(f) AND M.P.E.P. 608.01**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Enclosed is a new patent application for filing in the U.S. Patent and Trademark Office under 37 C.F.R. 1.53(b) and (f) and M.P.E.P. 608.01. The Declaration and Power of Attorney attached hereto is in unexecuted form and the application is in the Japanese language. An executed Declaration and Power of Attorney and verified literal English translation will be filed within the time period set forth in the Notice to File Missing Parts of Application, unless such time period has been extended by the filing of a petition accompanied by the extension fee under the provisions of 37 C.F.R. 1.136(a).

P20938.P03

Related to this, a correspondence address is provided in the unexecuted Declaration and Power of Attorney, and is as follows:

GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, VA 20191

The above-identified application includes:

- 216 pages of specification with abstract(in Japanese); and
- an unexecuted Declaration and Power of Attorney.

Respectfully submitted,
K. NAKAYAMA et al.

Leslie H. Bernstein Reg No
Bruce H. Bernstein
Reg. No. 29,027 33,329

April 23, 2001
GREENBLUM & BERNSTEIN P.L.C.
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